

State of California  
Regional Water Quality Control Board  
San Diego Region

Executive Officer Summary Report  
May 12, 2004

ITEM: 5

SUBJECT: Tentative Addendum No. 1 to Resolution No. R9-2003-0391 An Emergency Conditional Temporary Waiver of Statutory Requirements to File a Report of Waste Discharge and For Adoption of Waste Discharge Requirements for Management and Disposal of Solid Wastes from the 2003 Wildfire Destruction in the San Diego Region. (John Odermatt)

PURPOSE: Tentative Addendum No. 1 to Resolution No. R9-2003-0391 (Attachment 2) would, if adopted, extend the expiration date of the Resolution. Resolution No. R9-2003-0391 conditionally waives the requirements to file a report of waste discharge and obtain waste discharge requirements for discharges of solid wastes derived from the cleanup of burned areas in the San Diego Region. Six active Class III Municipal Solid Waste Management Units (Landfills), all located in the San Diego Region, and five temporary waste staging areas are enrolled for coverage by the original conditional waiver (Attachment 3) Resolution R9-2003-0391. The original conditional waiver expires on June 30, 2004, unless the Regional Board acts to extend the expiration date. Tentative Addendum No. 1 would postpone the expiration date until September 30, 2005.

PUBLIC NOTICE: A Public Notice of this agenda item was added to the Notifications Section of the agenda for the Regional Board workshop on March 10, 2004. The tentative Addendum was also posted on the Regional Water Quality Control Board – San Diego Region web site on March 8, 2004. Tentative Addendum No. 1 to Resolution No. R9-2003-0391 was mailed to all known interested parties on March 3, 2004.

DISCUSSION: During October and November 2003, wildfires in the San Diego Region have burned 402,600 acres destroying 3,300 structures, 223 vehicles and damaging 92 buildings. Governor Gray Davis declared San Diego

County in a State of Emergency on October 26, 2003  
(Attachment 4).

Tentative Resolution No. R9-2003-0391 temporarily and conditionally waives the requirements to file a report of waste discharge and obtain waste discharge requirements for discharges of waste derived from the cleanup of wildfire debris from the recently burned areas in the San Diego Region. The Resolution places conditions upon the following categories of wildfire-related waste discharges in the San Diego Region: **1) Discharges of wildfire-related solid wastes into lined cells or staging areas located at permitted municipal solid waste landfills** (e.g., Otay Landfill, Ramona Landfill, Sycamore Landfill, and West Miramar Landfill). These landfills are permanently disposing of qualifying solid wastes, including: spoiled food wastes, animal carcasses, and “mixed wastes” – comprised of two or more categories of wastes (e.g., nonhazardous wastes, house-hold hazardous wastes, universal wastes, inert wastes, *etc.*) that have been mixed and damaged such that the individual waste components are not practically separable for purposes of waste management. **2) Discharges of wildfire related solid wastes at temporary waste staging areas (unclassified waste management units).** These facilities may process qualified demolition debris including uncontaminated metal, wood, concrete and brick as these are removed from the disaster stricken properties around the San Diego Region. Operators of temporary waste staging areas are required to submit a Notice of Intent to the Regional Board prior to initiating a waste staging operation and a Notice of Termination (Attachment 3) within 10 working days of completing removal of all wastes. With adoption of tentative Addendum No. 1 to Resolution No. R9-2003-0391, the waiver would remain in effect until September 30, 2005 unless the Regional Board determines it necessary to further extend that date.

This waiver has been instrumental in facilitating the transportation of waste into the landfills where it poses the least threat to human health and water quality. From data collected from the Oakland-Berkeley fires (1991), the Regional Board staff estimates that the impacts of the San Diego wildfires may result in 150,000 to 300,000 tons of solid wastes being generated from the cleanup effort. From this estimate and recent newspaper

accounts, the cleanup of wildfire debris is approximately 33 to 50 percent complete in San Diego County (Attachments 5 and 6). Discussions with County of San Diego, Department of Public Works staff during April 2004, indicate they favor extending the coverage of Resolution No. R9-2003-391 to accommodate the next phase of wildfire debris cleanup. Extending the coverage of the conditional waiver would allow the 6 active landfills and existing 5 temporary waste staging areas in San Diego County, to continue accepting wildfire related debris/waste, under specific conditions of Resolution No. R9-2003-0391. The conditional waiver provides a streamlined approach to the cleanup effort in San Diego County.

To date, discussions with the landfill operators indicate that the operating landfills will be able to dispose of waste without significantly impacting their daily operations or adversely impacting water quality.

SIGNIFICANT CHANGES: None

LEGAL CONCERNS: None

COMPLIANCE HISTORY: None

SUPPORTING DOCUMENTS:

1. Operating Landfills in San Diego County
2. Tentative Addendum No. 1 to Resolution No. R9-2003-0391
3. Resolution No. R9-2003-0391
4. Governor's Proclamation
5. Staff Report
6. Progress on Wildfire Cleanup: Newspaper Articles

RECOMMENDATIONS: Adoption of tentative Addendum No. 1 to Resolution No. R9-2003-0391 is recommended.